

FILED

Clerk

District Court

JUN 16 2006

For The Northern Mariana Islands  
By \_\_\_\_\_  
(Deputy Clerk)

1      **CIVILLE & TANG**  
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3      PMB 86, P.O. Box 10003  
4      Saipan, MP 96950-8908  
5      Telephone: (670) 235-1725  
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7  
8      Attorneys for Defendant Justice Alejandro C. Castro

9  
10     IN THE UNITED STATES DISTRICT COURT  
11     FOR THE NORTHERN MARIANA ISLANDS

12     ROBERT D. BRADSHAW,

13     CIVIL ACTION NO. 05-0027

14     Plaintiff,

15     vs.

16     COMMONWEALTH OF THE  
17     NORTHERN MARIANA ISLANDS  
18     (hereafter referred to as the CNMI),  
19     NICOLE C. FORELLI, former Acting  
20     Attorney General of the CNMI, in her  
21     personal/individual capacity; WILLIAM C.  
22     BUSH, former Assistant Attorney General  
23     of the CNMI, in his personal/individual  
24     capacity; D. DOUGLAS COTTON;  
25     former Assistant Attorney General of the  
26     CNMI, in his personal/individual capacity;  
27     L. DAVID SOSEBEE, former Assistant  
28     Attorney General of the CNMI, in his  
   personal/individual capacity; ANDREW  
   CLAYTON, former Assistant Attorney  
   General of the CNMI, in his  
   personal/individual capacity; Other  
   UNKNOWN and UNNAMED person or  
   persons in the CNMI, in their personal/  
   individual capacity; ALEXANDRO C.  
   CASTRO, former Justice Pro Tem of the  
   CNMI SUPERIOR COURT, in his  
   personal/individual capacity; PAMELA S.  
   BROWN, former Attorney General of the  
   CNMI; in her personal/individual capacity;  
   ROBERT A. BISOM; and JAY H.  
   SORENSEN.

1      **DECLARATION OF ATTORNEY G.  
2      PATRICK CIVILLE IN SUPPORT OF  
3      DEFENDANT ALEXANDRO C. CASTRO'S  
4      RESPONSE TO PLAINTIFF'S NOTICE TO  
5      COURT TO CORRECT THE RECORD**

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   Defendants.

ORIGINAL

1       I, G. PATRICK CIVILLE, certify as follows:

2       1. I make this declaration based upon my personal knowledge of the facts stated  
3 herein.

4       2. I am an attorney licensed to practice law in the Commonwealth of the Northern  
5 Marianas Guam and am employed by the law firm of Civille & Tang. I am attorney representing  
6 Defendant Alexandro C. Castro in the above-captioned matter.

7       3. On April 14, 2006, Defendant Castro, through the undersigned counsel, filed by  
8 facsimile a motion requesting an extension of time to file an answer to Bradshaw's Second  
9 Amended Complaint. I filed an errata to the *Ex Parte* Motion on April 17, 2006.

10      4. In the Motion to Extend, Defendant Castro, acting through myself as his attorney  
11 of record, represented that I received Bradshaw's Amended Complaint in the mail in my law  
12 firm's CNMI office address on April 13, 2006, which was sent via overnight mail to my office  
13 address on Guam on April 13, 2006, and received by my Guam office on April 14, 2006.

14      5. My representations of the dates the Complaint was received were not  
15 misstatements.

16      6. On April 12, 2006, my Guam office received the faxed copy of an Order, filed on  
17 April 10, 2006 in the CNMI District court, from the Teker, Torres & Teker law firm. *See Exhibit*  
18 A, attached hereto. The Order grants an extension of time to file a responsive pleading to several  
19 of the defendants in this matter. *See id.* As indicated on the top portion of the Order, it appears  
20 that on April 10, 2006, the Court mistakenly faxed a copy of the Order to the Teker law firm, and  
21 not the Civille & Tang law firm. *See id.* As also indicated on the top portion of the Order, the  
22 Teker law firm faxed the order to my Guam law office on April 12, 2006. *See id.*

23      7. After reviewing the April 10, 2006 Order, I realized that a complaint must have  
24 been filed in this matter. As we had not received a complaint, I instructed my assistant, Ms.  
25 Mary Cruz, to contact Mr. Kerishnan Samy Naidu, an employee in my CNMI office, to determine  
26 whether a complaint was mailed to our CNMI office address, P.O. Box 10003, PMB 86, Saipan,  
27 MP 96950.

28      8. On April 13, 2006, Mr. Naidu responded to my assistant, stating that he checked

our CNMI post office box on that day, and in fact received a package containing a Second Amended Complaint. My assistant requested that he send the package to my Guam office by overnight mail.

9. On April 14, 2006, I received the package containing Plaintiff Bradshaw's Second Amended Complaint, delivered by DHL to my Guam Office address, 330 Hernan Cortes Ave., Ste. 200, Hagatna, Guam 96910. *See* Exhibit B, attached hereto.

10. The DHL label indicates that it was sent from the CNMI to my Guam office address on April 13, 2006. *See Exhibit A*, attached hereto.

9       11. A true and correct copy of the Court's faxed copy of an Order, filed April 10,  
10 2006, is attached hereto as Exhibit A.

11        12. A true and correct copy of a DHL receipt label, dated April 13, 2006, is attached  
12 hereto as Exhibit B.

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted this 12<sup>th</sup> day of June, 2006.

  
G. PATRICK CIVILLE

# EXHIBIT A

FILED  
Clerk  
District Court

APR 25 2006

For The Northern Mariana Islands  
By \_\_\_\_\_  
(Deputy Clerk)

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN MARIANA ISLANDS

ROBERT D. BRADSHAW,

Case No. CV-05-0027

Plaintiff,

vs.

ORDER SETTING HEARING

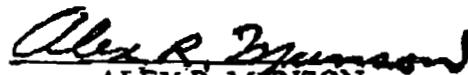
COMMONWEALTH OF THE NORTHERN  
MARIANA ISLANDS, NICOLE C. FORELLI,  
WILLIAM C. BUSH, D. DOUGLAS COTTON, L.  
DAVID SOSEBEE, ANDREW CLAYTON,  
UNKNOWN AND UNNAMED PERSONS IN THE  
CNMI OFFICE OF THE ATTORNEY GENERAL,  
ALEXANDRO C. CASTRO, JOHN A. MANGLONA,  
TIMOTHY H. BELLAS, PAMELA BROWN,  
ROBERT BISOM, and JAY H. SORENSEN,

Defendant.

A bearing is scheduled for May 25, 2006, at 9:00 a.m. for plaintiff Bradshaw's motions to enter a default judgment against defendants Sosebee, Clayton, Bisom, and Sorenson.

IT IS SO ORDERED.

DATED this 25th day of April, 2006.

  
ALEX R. MUNSON  
Judge

# EXHIBIT B

Process and Track your shipment online: <http://www.dhl-usa.com>

1-800-CALL-DHL in USA only

SHIPMENT NUMBER

839 0015 196

ORIGIN  
SPNDESTINATION CODE  
GUM**1 Payer account number and shipment value protection details**Customer Account Number:  Cash Check Credit Card**2 From (Shipper)**Shipper Name: Street Address: City: State/Prov.: Zip/Postal Code: Phone Number: Fax Number: Email Address: Comments: Signature: Date: Priority Mail: 

MP 16000 16000 17000

**3 To (Receiver)**

Law OFFICES OF CIVILLE & TANG  
 Mrs. Marys Cortez  
 #1175 CIVILLE & TANG  
 330 HERNAN CORTEZ AVE  
 STE 2, HAGATNA, GUAM

Country:  21 SA

Post/ZIP Code (required)

96910

Phone, Fax, or E-mail (required)

671-472-8868

**4 Shipment Details****5 Full Description of Contents****6 Dutiable Shipments Only (Customs requirement)**TRANSPORT COLLECT STICKER NO. 

Destination Duties/Taxes if left blank, Receiver pays duties/taxes.

 Receiver     Shipper     Other

Specify approved account number

The commodities, technology or software to be exported from the U.S. are in compliance with the U.S. Bureau of Export Administration. Diversion to countries contrary to U.S. law prohibited.

**7 Shipper's Authorization (signature required)**